

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

HAYWARD INDUSTRIES, INC.,

Plaintiff,

v.

Civil Action No. 3:20-cv-00710-MOC-SCR

BLUEWORKS CORPORATION,
BLUEWORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD.;
NINGBO YISHANG IMPORT AND
EXPORT CO., LTD.,

Defendants.

**DEFENDANTS' LIMITED OBJECTIONS TO DEPOSITION TESTIMONY OF
WITNESSES MIKUSKI AND IVESTER**

Pursuant to the Court's request, Defendants' submit the following objections to the deposition testimony of Shawn Mikuski (filed at ECF 316) and Steven Ivester (filed at ECF 314). Plaintiff intends to present the deposition testimony of these witnesses at trial in this case. Defendants understand that Plaintiff will be filing narrowed versions of these deposition designations, but the testimony is, of course, the same.

For Mr. Mikuski's deposition, Defendants' object to the testimony at page 35, line 22 through page 36, line 15. This testimony relates to Mr. Chen's language skills, which is irrelevant to the legal issues in this case and prejudicial to Defendants.

For Mr. Ivester's deposition, Defendants object to the testimony at pages 21, line 30 through p. 30, line 4, which discuss an email that was neither introduced as an exhibit nor identified by Bates number (or otherwise) at the deposition. Accordingly the testimony lacks foundation,

and includes hearsay to the extent that it discusses what others said in the unidentified document, and confusing to the jury.

Defendants also object to the testimony designated at pages 50, line 24 through page 52, line 16, which refer to a different product—not a salt cell—than that at issue in this case. Accordingly the testimony is irrelevant and prejudicial, and confusing to the jury.

Dated: February 23, 2024

Respectfully submitted,

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2024, the foregoing document was served on all counsel of record using the Court's CM/ECF system, which will send notification of such filing to any CM/ECF participants.

Respectfully submitted,

/s/ Christina Davidson Trimmer
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